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JAN 0 6 2005  
PATENT & TRADEMARK OFFICE

AF/2662  
EFW

**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
**01070065AA**

In Re Application of **M. Yoshimura**

Application No. <b>09/537,775</b>	Filing Date <b>3/29/00</b>	Examiner <b>Tsegaye, S.</b>	Customer No. <b>30743</b>	Group Art Unit <b>2662</b>	Confirmation No. <b>7267</b>
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Title: **Protection Switching Method and Apparatus for Passive Optical Network**

COMMISSIONER FOR PATENTS:

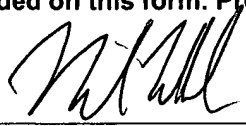
Transmitted herewith is:

**Combined Notice of Appeal and Petition for Extension of Time**  
**Check \$840.00**  
**Postcard**

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of **\$840.00** is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-2041** as described below.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**



*Signature*

Dated: **Jan. 6, 2004**

**Michael E. Whitham**  
**Reg. No. 32,635**

Whitham, Curtis & Christofferson, PC  
11491 Sunset Hills Road - #340  
Reston, VA 20190  
**Customer No. 30743**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*

CC:

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.  
**01070065AA**

In Re Application Of: **M. Yoshimura**

Application No.  
**09/537,775**

Filing Date  
**3/29/00**

Examiner  
**Tsegaye, S.**

Customer No.  
**30743**

Group Art Unit  
**2662**

Confirmation No.  
**7267**

Invention: **Protection Switching Method and Apparatus for Passive Optical Network**

**COMMISSIONER FOR PATENTS:**

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of

**8/6/04** in the above-identified application.  
*Date*

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **8/6/04** finally rejecting Claim(s) **1-4, 6-21, and 23-30.**

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month ☒ Two months ☐ Three months ☐ Four months ☐ Five months

from: **11/7/04** until: **1/6/05**  
*Date Date*

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal	\$500.00
Fee for Extension of Time (2 months)	\$450.00
Total	\$950.00
Minus a 1 month extension fee paid 12/2/04	- \$110.00

**TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME** **\$840.00**

The fee for the Notice of Appeal and extension of time is to be paid as follows:

☒ A check in the amount of \$840.00 for the Notice of Appeal and extension of time is enclosed.

☐ Please charge Deposit Account No. in the amount of

☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **50-2041**

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-2041**

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01/07/2005 ZJUHAR1 00000024 09537775

01 FC:1401 500.00 OP  
02 FC:1252 340.00 OP

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.  
**01070065AA**

In Re Application Of: **M. Yoshimura**



Application No. <b>09/537,775</b>	Filing Date <b>3/29/00</b>	Examiner <b>Tsegaye, S.</b>	Customer No. <b>30743</b>	Group Art Unit <b>2662</b>	Confirmation No. <b>7267</b>
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Invention: **Protection Switching Method and Apparatus for Passive Optical Network**

**TO THE COMMISSIONER FOR PATENTS:**

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

Dated: **Jan. 6, 2005**

*Signature*

**Michael E. Whitham**  
**Reg. No. 32,635**

**Whitham, Curtis & Christofferson, PC**  
**11491 Sunset Hills Road - #340**  
**Reston, VA 20190**  
**Customer No. 30743**

**Certificate of Transmission by Facsimile\***

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CC: